

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 7136**  
Atsushi YAMASHITA et al. : **Mail Stop: PCT**  
Serial No. 10/525,235 : **Attorney Docket No. 2005\_0258A**  
Filed February 22, 2005 :

CONTROL SYSTEM, METHOD, AND PROGRAM  
USING RHYTHM PATTERN  
[Corresponding to PCT/JP03/07391  
Filed June 11, 2003]

**REPLY TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 USC 371**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the PTO Notification of Missing Requirements Under 35 USC 371 dated August 15, 2005, submitted herewith is a Declaration for the above application executed by the inventors.

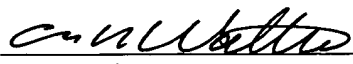
Also enclosed are the PTO surcharge of **\$130.00** required by 37 CFR 1.492(e), and a copy of the PTO notice.

It is respectfully submitted that the application is now complete, and early indication thereof is now requested.

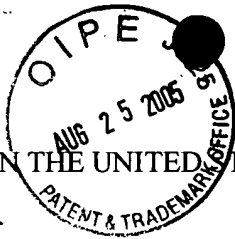
Respectfully submitted,

Atsushi YAMASHITA et al.

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

By   
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August 25, 2005



Rec'd PCT/JP 25 AUG 2005

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**PATENT OFFICE FEE TRANSMITTAL FORM**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached hereto is a check in the amount of \$130.00 to cover Patent Office fees relating to filing the following attached papers:

Late filing of executed Declaration ..... \$130.00

A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

*The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.*

Respectfully submitted,

Atsushi YAMASHITA et al.

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

By Charles R. Watts  
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Telephone (202) 721-8200  
August 25, 2005

[Check No. 69855]

2005\_0258A



UNITED STATES PATENT AND TRADEMARK OFFICE

Rec'd PCT/PTO 25 AUG 2005

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/525,235	Atsushi Yamashita	2005_0258A

INTERNATIONAL APPLICATION NO.	
PCT/JP03/07391	
I.A. FILING DATE	PRIORITY DATE
06/11/2003	08/22/2002

000513  
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 2033 K STREET N. W.  
 SUITE 800  
 WASHINGTON, DC 20006-1021

COPY

CONFIRMATION NO. 7136  
 371 FORMALITIES LETTER  
 \*OC000000016773462\*  
 \*OC000000016773462\*

Date Mailed: 08/15/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/22/2005
- English Translation of the IA filed on 02/22/2005
- Copy of the International Search Report filed on 02/22/2005
- Preliminary Amendments filed on 02/22/2005
- Information Disclosure Statements filed on 02/22/2005
- Oath or Declaration filed on 02/22/2005
- Request for Immediate Examination filed on 02/22/2005
- U.S. Basic National Fees filed on 02/22/2005
- Substitute Specification filed on 02/22/2005
- Priority Documents filed on 02/22/2005
- Specification filed on 02/22/2005
- Claims filed on 02/22/2005
- Abstracts filed on 02/22/2005
- Drawings filed on 02/22/2005

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 AUG 17 2005  
 WENDEROTH, LIND & PONACK

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

KAREN M WILLIAMS

Telephone: (703) 308-9140 EXT 213

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/525,235	PCT/JP03/07391	2005_0258A